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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/685,601	10/11/2000	Franco Lo Giudice	198404US0	5262
22850	7590	11/08/2006	EXAMINER	
C. IRVIN MCCLELLAND OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			ZIMMER, MARC S	
			ART UNIT	PAPER NUMBER
			1712	

DATE MAILED: 11/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication	Application No.	Applicant(s)	
	09/685,601	GIUDICE ET AL.	
	Examiner	Art Unit	
	Marc S. Zimmer	1712	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

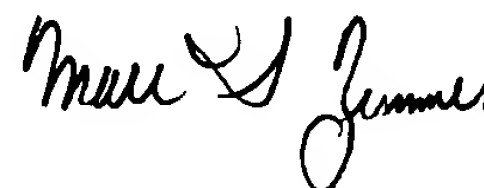
1. ☒ The amendment filed on 22 September 2006 under 37 CFR 1.312 has been considered, and has been:

- a) ☐ entered.
- b) ☐ entered as directed to matters of form not affecting the scope of the invention.
- c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

- d) ☒ disapproved. See explanation below.
- e) ☐ entered in part. See explanation below.

While it is true that the Specification supports the disclosure of the claimed compositions where ABS and styrene copolymers are a component of the invention, the Examiner's search would NOT have necessarily covered the increased scope of the amended claim. In claims 20, 23, and 27, these polymers were "allowed" because the base claim from which they depend had required a combination of a specific hydrocarbon compound and a polysiloxane having a specified weight. That is to say, that these claims were patentable was not necessarily due to the inclusion of ABS and/or styrene copolymer. Claim 30 does not require the polysiloxane component and, thus, the Examiner cannot be absolutely certain that the newly added embodiments would, in fact, be patentable.



**MARC S. ZIMMER
PRIMARY EXAMINER**